NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

LISA PERROTTA, and MICHAEL PERROTTA, individually and on behalf of all others similarly situated,
 	
   Plaintiffs,
 	
v.
 	
LG ELECTRONICS USA, INC., a Delaware Corporation, and JOHN DOES 1-10 (presently known [sic] individuals, partnerships, companies, and/or other entities),
 	
   Defendants.
	Civil Action No. 12-246
	
	ORDER

LINARES, District Judge.

This matter, having come before the Court by way of Defendant's Motion to Dismiss Plaintiffs' Amended Class Action Complaint [Docket Entry No. 33] and Plaintiffs' Cross-Motion for Leave to File a Second Amended Class Action Complaint [Docket Entry No. 38], and, for the reasons stated in this Court's corresponding Opinion dated February 7, 2013,

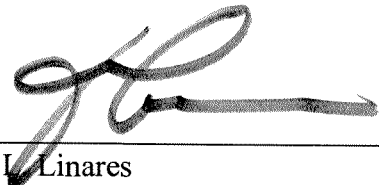IT IS on this 7th day of **February, 2013,**

ORDERED that Defendant's Motion to Dismiss Plaintiffs' Amended Class Action Complaint [Docket Entry No. 33] is granted in its entirety; and it is further

ORDERED that Plaintiffs' Cross-Motion for Leave to File a Second Amended Class Action Complaint [Docket Entry No. 38] is denied without prejudice. Plaintiffs only sought leave to amend Count Five of the Amended Class Action Complaint, and, for the reasons set

forth in the Court's corresponding Opinion, amending Count Five of the Amended Class Action Complaint without curing fatal pleading deficiencies in the remainder of the Amended Class Action Complaint would be futile; and it is further

ORDERED that Plaintiffs have thirty (30) days from the entry of this Order in which to file a Second Amended Class Action Complaint which cures the pleading deficiencies in Counts One through Nine of Plaintiffs' Amended Class Action Complaint [Docket Entry No. 19]. Plaintiffs' failure to file such a Second Amended Class Action Complaint will result in the dismissal of such claims with prejudice.

SO ORDERED.

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Jose L. Linares
United States District Judge